

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-4 and 7-15 are pending in this application. Claims 1-4 and 7-15 are amended, and Claims 5 and 6 are canceled by the present amendment.

The claim amendments find support in the application as originally filed, at least in Applicants' Figure 1. Thus, no new matter is added.

In the outstanding Office Action, the specification was objected to; Claims 5 and 6 were rejected under 35 U.S.C. § 101; Claims 1, 3, 5, 7, 9, and 11 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent 6,615,192 to Tagawa et al. (herein "Tagawa"); and Claims 2, 4, 6, 8, 10, and 12 were rejected under 35 U.S.C. § 103(a) as unpatentable over Tagawa in view of Japanese Patent 2002-348925 to Kojima et al. (herein "Kojima").

Regarding the objection to the specification, the headings of the specification are amended in light of comments in the Office Action. Further, the Abstract of the specification is amended to comply with formalities. Accordingly, it is respectfully requested the objection to the specification be withdrawn.

Claims 5 and 6 are canceled without disclaimer or prejudice, thereby rendering moot the rejection under 35 U.S.C. § 101.

Applicants respectfully traverse the rejection of Claims 1, 3, 5, 7, 9, and 11 under 35 U.S.C. § 102(e) as anticipated by Tagawa, with respect to amended independent Claims 1, 3, 5, 7, 9, 11, and 13-15.

Amended Claim 1 is directed to a signal processing system having a reproducing apparatus for reading information from a recording medium having unique information and an information processing apparatus for mutually authenticating and connecting the reproducing apparatus through a transferring portion. The information processing apparatus

includes, in part, an intermediate key information encrypting portion configured to encrypt the intermediate key information using key information unique to the recording medium. The key information is generated in accordance with the information unique to the recording medium and a device key unique to the information processing apparatus. Independent Claims 1, 3, 7, 9, and 11 include similar features directed to a recording method, a computer readable medium storing a computer program which when executed by a computer causes the computer to control a reproducing apparatus and an information processing apparatus for recording information to a recording medium, a reproducing apparatus, and an information processing apparatus, respectively.

In a non-limiting embodiment of Applicants' invention shown in Applicants' Figure 1, a recorder 2 (e.g., information processing apparatus) includes, in part, a device key 21 and a process MKB 22 (medium key block; e.g., an intermediate key information encrypting portion). As noted in the specification at page 19, line 27 to page 20, line 19, the device key 21 is an identification number issued for each apparatus maker or each application software vendor, and the device key is information unique to a valid electronic apparatus for valid application software assigned by a licensor. Further, the process MKB 22 calculates a medium key (e.g., key information unique to the recording medium) with the MKB 12 (e.g., information unique to the recording medium) and of a device key 21 (e.g., a device key unique to the information processing apparatus). Thus, according to the claimed inventions, the risk of reverse engineering and illegal copying may be reduced.<sup>1</sup>

Applicants respectfully submit that Tagawa fails to teach or suggest each of the features of amended independent Claims 1, 3, 7, 9, and 11. Tagawa describes a content copying system and a disc drive capable of content copying when the playback and record functions are included in the same disc drive, as well as a system capable of copying contents

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<sup>1</sup> Specification at page 14, line 7 to page 15, line 15.

from a first recording medium to a second recording medium, even when transmission of a cipher key between devices is strictly limited in accordance with a copy protection standard.<sup>2</sup> According to Tagawa, a method of copying content includes not incrementing a copy number when the encrypted content is transmitted to the host computer and stored in the hard disc, and only incrementing the copy number when the encrypted content is recorded onto the second recording medium.<sup>3</sup> Further, Tagawa indicates that since encrypted content is not transmitted to the host computer together with a cipher key the transmission does not correspond to content copying as disclosed by the DVD copyright protection standard. In other words, Tagawa describes a method of copying a DVD without incrementing a recorded limit on the number of copies.

In addition, Tagawa indicates that a title key recorded on the original recording medium is read and decrypted using the disc and master keys, and information unique to the target recording medium is read from the target recording medium and used to re-encrypt the title key before it is recorded on the target recording medium. According to Tagawa, the processing for decrypting and then re-encrypting a title key

is necessary in contents copying because the decoder in the contents reproduction system of FIG. 1A requires the connected disc drive to transfer a legitimate title key.<sup>4</sup>

In other words, Tagawa describes a method of using a title key and a disc key to make a copy of a DVD. However, it is respectfully submitted that Tagawa is silent regarding a device key, and Tagawa is silent regarding a device key unique to a particular apparatus. Thus, it is respectfully submitted that Tagawa fails to teach or suggest an information processing apparatus that includes a portion configured to encrypt key information that is “generated in accordance with the information unique to the recording medium and a device

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<sup>2</sup> Tagawa at Abstract and at column 3, lines 30-40.

<sup>3</sup> Tagawa at column 4, lines 49-54.

<sup>4</sup> Tagawa at column 2, lines 27-36.

key unique to the information processing apparatus,” as recited in independent Claims 1, 3, 7, 9, and 11.

Therefore, it is respectfully submitted that independent Claims 1, 3, 7, 9, and 11, and claims depending therefrom, patentably define over Tagawa.

Further, it is respectfully submitted that Tagawa also fails to teach or suggest the features of independent Claims 13 and 15. In addition, Applicants respectfully traverse the assertion in the Office Action that Tagawa discloses the claimed storing portion for storing fourth information unique to a valid electronic device or application software.<sup>5</sup>

Claim 13 is directed to a reproducing apparatus that includes a storing portion configured to store fourth information unique to a valid electronic device or application software. Claim 15 is directed to a data processing apparatus including an authentication portion configured to authenticate a recording and reproducing apparatus having fourth information unique to a valid electronic device or application software.

As noted above, Tagawa fails to teach or suggest a device key unique to an information processing apparatus. Similarly, it is respectfully submitted that Tagawa also fails to teach or suggest a reproducing apparatus or a recording and reproducing apparatus having fourth information unique to a valid electronic device or application software, as required by independent Claims 13 and 15. Thus, it is respectfully submitted that independent Claims 13 and 15 also patentably define over Tagawa.

Therefore, Applicants respectfully submit that independent Claims 1, 3, 7, 9, 11, 13, and 15, and claims depending therefrom, patentably define over Tagawa.

Accordingly, it is respectfully requested the rejection of Claims 1, 3, 5, 7, 9, and 11 under 35 U.S.C. § 102(e) as anticipated by Tagawa be withdrawn.

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<sup>5</sup> Office Action at page 5, lines 10-11.

In addition, Applicants respectfully traverse the rejection of Claims 2, 4, 6, 8, 10, and 12 under 35 U.S.C. § 103(a) as unpatentable over Tagawa in view of Kojima.

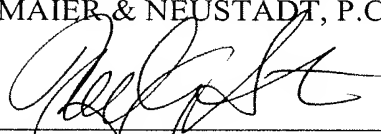
Claims 2, 4, 8, 10, and 12 depend from independent Claims 1, 3, 7, 9, and 11, respectively, which are believed to patentably define over Tagawa as discussed above. Further, Applicants respectfully submit that Kojima fails to supply the claimed features lacking in the disclosure of Tagawa. Accordingly, it is respectfully requested the rejection under 35 U.S.C. § 103(a) also be withdrawn.

Accordingly, Applicants respectfully submit that independent Claims 1, 3, 7, 9, 11, 13, and 15, and claims depending therefrom, are allowable.

Consequently, in light of the above discussion and in view of the present amendment this application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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